

January 27, 2014

PRESENT: Richard Nichols, Chairman
Michael Pierce, Vice-Chairman
Philip Bean, Selectman
Mary-Louise Woolsey, Selectman
Michael Plouffe, Selectman
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney

SALUTE TO THE FLAG

I. Public Hearing Pursuant to RSA 31:95-b (9:52)

Under the provisions of RSA 31:95-b,III(a) to apply for a \$475,000 “2013 Hurricane Sandy Coastal Resiliency Competitive” grant for the purpose of decommissioning the Old Mill Pond Dam, replacement of the High Street Culverts and perform a drainage study of Meadow Pond

Mr. Noyes made comments as follows: continuation of a number of discussions he has had with the Board about applying for a grant for this work; have since asked to seek a grant for an additional study of Meadow Pond; is asking to increase the grant amount to \$500,000 and explained why; cost to Town is not changing and still looking to be \$135,000; would like Board to authorize the increase since grant application is due Friday.

Selectman Woolsey MOTIONED to authorize Mr. Noyes to file the grant application in the amount of \$500,000 SECONDED by Selectman Pierce.

VOTE: 5-0-0

II. Recognition of Service (12:52)

Roger Syphers – Parks and Recreation Department

Chairman Nichols read the Recognition of Service for Roger Syphers.

Mr. Syphers commented: thanked them so much; talked about when he moved into Hampton in 1959; how he wanted to play basketball; how small the Recreation Department was and how he talked to them about starting a men’s basketball program; how he came to retire about a year ago; the number of people he has gotten to know; happy to receive this. He also asked to talk about the Heritage Commission: disarray of the Old Barrel Shop next to Black Smith Shop; broken windows which he has placed plywood on; could probably fall through the floor if you were to go inside; falling apart; thinks Town should do something to have the building removed.

III. Award of Holiday Lighting Contest Winners (19:13)

Mrs. Martin presented the awards. There are two categories business and residential.

1. Residential

Tom & Rose McNamara – Best Traditional Decorations

William Paine – Best Nautical Theme

2. Business

401 Tavern – Best Community Spirit

Victoria Inn – Best New Design

Wally's Pub – Best Holiday Cheer

IV. Public Comment Period (23:54)

Arthur Moody, 3 Thomsen Road, commented that he is going to get a trophy for Selectman Phil Bean for his relentless exposure of various aspects of State Government and its parasitizing nature; talked about the revenue side of State of NH.

V. Announcements and Community Calendar (25:53)

Selectman Plouffe reminded everyone that Saturday is a big day with the Deliberative Session being held. He encouraged people to come out and participate starting at 8:30 am.

Selectman Woolsey pointed out that Saturday is the one chance you have during the year to have a direct influence on what is going to go on the warrant.

Chairman Nichols reminded everyone how they can sign up to receive notifications from the Town and went through the ways you can sign up. He also went through the statistics on how many people have signed up by email to receive these notifications.

VI. Appointments (28:13)

3. Dyana Martin, Director Parks and Recreation Department (28:16)

a. Departmental Update

Mrs. Martin went through the following information for the Board. Parks Maintenance: staff really starts in the beginning of April; do have one employee who has come in a few times this year; removed the Christmas Tree and snowflakes; working with company that won bid for garage at Tuck Field.

Parking Lots: have been looking to see who is returning; will do training in April; lots will open in May.

Recreation Programs: Holiday programs they had; spring and summer brochure coming out soon; went through some of the upcoming camps including summer camps; scheduling fields for upcoming baseball and softball; training for camp staff and lifeguards; Easter Egg Dig on April 12th at 11 am; Fishing Derby; exercise programs; went through upcoming trips; High School Basketball league has started; different classes they are currently running; theater trips coming up; trip to Yankee Stadium to see the Red Sox; tickets for Red Sox games at home; working on details for "I'm Trying 5k."

Selectman Pierce asked about how Mrs. Martin thinks we are going to do with finding lifeguards this year compared to last year. Mrs. Martin thinks there are 2 maybe 3 who are going to return and we need 5 total to cover shifts.

4. Michael Schwotzer, Finance Director (34:34)
 - a. Monthly Financials

Mr. Schwotzer here to present end of year financials. This is the second pass and getting closer to end. Revenues: Motor Vehicle Income came in at \$2.770M; total income of \$7.57M; Land Use Change Tax at \$179k; Interest on Taxes at \$396k; Building Permits at \$223k; State of NH at \$1.1M; Departmental Income at \$600k; Parking Lots at \$463k; Rental of Town Property at \$461k; Insurance Reimbursement at \$476k; Real Estate Trust at \$615k. Expenses: shows year to date expenses by department; at end of December the operating departments (with open PO's but without debt service) were 99.13% of the budget, which is .87% below the month's target of 100%; YE "savings" report as \$195k; comparative December 2013 estimate was \$137k; should be noted that the operating costs include \$69k of Grant expenditures which can be added to the budget thereby increasing the estimated under expenditure figure; majority of the departments finished the year below the target level; as discussed earlier the DPW would have different departments being over or under budget with best estimate that the overall department would remain positive; current report shows that this did not happen and DPW was over expended in total by \$28k; in light of this he would suggest a post approval by the Board be considered.

Selectman Pierce asked about the \$28,000 and Mr. Schwotzer went back to November and explained in detail what he projected Public Works could spend for the remainder of the year and what was actually spent to put them over budget by \$27,000. He did point out that we ended the year overall in a positive balance.

Selectman Pierce went through some of the problems he has with the percentage of the budget spent being at 97% so it is purchase orders that are driving the budget over. In his opinion this should have been brought to their attention sooner. Mr. Schwotzer explained in detail once again how this occurred.

Selectman Woolsey is not in favor of any sort of transfer she wants to see the lines that run under so she can see what's happening. She does not have a problem with the way this was presented and is glad to see Public Works having a chance to spend for once.

Selectman Bean shared a conversation he had with the auditors today and how they commented on how well this Town is run. How well are accounting is done and how well we perform at audit.

Chairman Nichols commented on observations he made in regards to DPW: \$17,000 was spent in snow removal overtime; spent \$22,000 on salt in December; must have had some significant storms in December; noticed there is \$86,000 in engineering PO's; if Selectmen have to approve a MS-7 line going over it should be approved prior to it going over.

Chairman Nichols general comments in relation to Financial Report: revenue was over by a million dollars even after you back out the LGC refund; asked about Conservation budget and actual being exactly the same; Mr. Schwotzer explained that Library, Conservation and Heritage are all covered under RSA's and we have to pay 100% of the budget; moving of \$140,000 into the Compensated Leave Trust Fund; discussed year-end savings and actually

there was approximately \$400,000 unspent; EMS revenues down about 8% and it was explained that this report only reflects 11 months; pointed out the Legal Department came in \$29,000 under budget; Assessing came in \$40,000 under.

Selectman Woolsey MOTIONED to allow the Department of Public Works to overspend their budget by \$27,864 SECONDED by Chairman Nichols.

Selectman Pierce asked about year-end savings and wonders how many of the purchase orders presented are Public Works. There is about \$167,000 purchase orders. Selectman Pierce commented on the amount of year-end spending approved by the Board for DPW and reminded everyone how he voted against approving the spending for DPW.

Mr. Schwotzer pointed out that the warrant article for Exeter Road did not pass muster with DRA and some of that money was put into the year-end spending.

VOTE: 5-0-0

Mr. Schwotzer discussed the following in regards to the list of encumbrances: original list came out at \$592k; now at \$551k; differential of \$41k; however Exeter Road Survey came in lower and is currently at \$54,000; late PO issued for \$34,800 for Exeter Road Survey; explained they had the contract, had Boards approval, basically just missed the PO, that line alone jumped by \$34,000; this will be the final list of purchase orders to bring forward to the auditors.

Chairman Nichols discussed the following: not seeing where the \$34,000 is coming from; Mr. Schwotzer explained that it is buried in the \$54,000 for Exeter Road Survey; there was an additional discussion on these purchase orders; asked about a purchase order for cold patch originally being listed as \$51,000 and now \$1,000 it was explained that this was a typo; number of items on this list that were not on the original list; Mr. Schwotzer explained that these are just highlights and were included before but possibly not listed out separately; asked about the \$43k for chemicals and that PO has been closed.

Mr. Schwotzer one final piece of information: answer to a question that Selectman Pierce asked; looking at unaudited statements; what he goes through to get to fund balances; fund balance basically effected by income minus expense; 2013 calculating \$27M worth of income; general fund \$1M over what he expected; expenses came in at \$25M; talking about \$2M more income then expense; big unknown change in contingencies; contingencies deal with law suits, reserve fund balance; this number could be significant he does not know yet; net change currently is \$1.8M; have unassigned fund balance of last year at \$4M; estimates \$5.8M for this fund; DRA suggested balance at 5% would be \$2.8M; now have \$3M excess in fund.

Chairman Nichols asked if the amount of money generated by taxes driven by the overlay \$726,000 automatically fall to the Reserve Fund Balance. Mr. Schwotzer confirmed this to be true. There was a discussion on the unknown contingencies being over and above the \$726,000. Mr. Schwotzer discussed the overlay and the contingencies further for the Board.

Chairman Nichols asked Mr. Schwotzer to give an update on the Recreation Fund. Mr. Schwotzer provided the following update: at end of 2012 had \$122,000; this fund is only funded by the 20% of Parking Lot Revenue; 2013 revenue of \$115,000; expended \$9,800 under warrant article 24 from 2012; net increase of \$106,000; estimate at the end of 2013 \$277,000; 2014 transfer to the General Fund \$49,000 for the garage at Tuck and they already

have this encumbered; proposed warrant article for 2014 for \$90,000; net drop in 2014 but still end up with basically \$250,000.

Chairman Nichols commented on the warrant article in 2012 being for \$78,000 so potentially there could be more spent then the \$49,000 that is being encumbered. He also brought up additional uses mentioned in the article such as design work for office space.

Chairman Nichols made comments: looks to him that if the \$90,000 warrant article passes and have no revenue in 2014; still have \$30,000 in fund; he personally did not want to see them putting forward warrant articles with the anticipation of money but that does not appear to be the case here.

Mr. Welch pointed out that in regards to the garage the vendor has already come forward with a change order and there is a possibility that this bid may be voided.

5. Ed Tinker, Chief Assessor (1:08:09)

a. 2013 Supplemental Warrant

Mr. Tinker commented: property with conflicting map and lot number; therefore a bill was not generated for \$217.89.

Selectman Woolsey MOTIONED to approve the 2013 Supplemental Warrant SECONDED by Selectman Plouffe.

VOTE: 5-0-0

b. 2013 Tax Collector Abatements

Mr. Tinker explained: they only have 3 this year; list included by Donna with details on the three; provided highlights on the 3.

Chairman Nichols MOTIONED to approve the 2013 Tax Collector Abatements for a total of \$245.40 SECONDED by Selectman Woolsey.

VOTE: 5-0-0

6. Brian McCain, Channel 22 (1:10:18)

a. Equipment Replacement

Mr. McCain explained that this is all replacement equipment.

- i. Control Room Monitors
- ii. Cameras and Camera accessories
- iii. E-Z Up Tent

Chairman Nichols asked about data video switcher on list for \$1,920 that was not on the original list given to the Board a few months ago. Mr. McCain explained in detail what he original asked for compared to this new unit. Mr. McCain discussed a trip that he took to Access A.V. to review all the equipment. Chairman Nichols summarized that they are solving the problem in a more cost effective manner.

Chairman Nichols MOTIONED to approve the Channel 22 expenditures for equipment replacement totaling \$7,476 SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Chairman Nichols commented: back in November there were two list with stuff for purchase for the uptown station and the beach station; wonders what direction they will be taking in the future; discussion he had with Chris Silver about the uptown station not being suited for public meetings because of security; if cannot run public meetings not sure what we would want to do in regards to equipment; possibility of broadcasting EOC; beach station does not have a connection with the proper bandwidth to broadcast live.

Mr. Paquette and Mr. McCain explained that at some point there will be another bandwidth to broadcast live from the beach station.

Chairman Nichols also brought up the possibility of adding a member to the Cable Committee as a SAU 90 representative. Selectman Woolsey has brought this up and Chairman Nichols thinks it is a good idea.

Selectman Pierce was under the impression that it has been mentioned that the uptown station would be used as a backup if something happened to this location. There was also an additional discussion on where channel 13 is going to be run from. They also discussed use of the uptown station for EOC, non-public meetings and how can run the control room from there.

Chairman Nichols MOTIONED to add an additional member to the Cable Committee as a SAU 90 representative SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Mr. Paquette will get in touch with SAU 90.

Selectman Woolsey asked if a memo can be given to the Town Clerk's Office in regards to signing up to receive email notifications. Mr. Paquette explained where the sign-up sheets are located in the Town Hall. The Board discussed having this information being shared with residents when they register their cars. Selectman Woolsey will communicate this to the Town Clerk.

VII. Approval of Minutes (1:23:40)

1. January 06, 2014

Page 3, 5th paragraph, 4th line change the word "dispose" to "provide"

Page 4, 5th paragraph, 6th line change the word "property" to "connection"

Page 7, correct spelling of Selectmen Pierce; correct spelling of Reid

Chairman Nichols MOTIONED to approve the January 06, 2014 minutes as amended SECONDED by Selectman Pierce.

VOTE: 5-0-0

2. January 13, 2014

Page 3, 6th paragraph, 3rd line correct the amount to "\$125,000"; 7th paragraph, 1st line add the word "we" and correct the "we" to "he" to correct sentence

Page 6, 4th paragraph, 6th line add the following after the word "canceled" we will no longer be cancelling trash based on Schools closing, the DPW Director will make the decision independently of the Schools.

Page 7, 3rd paragraph, 2nd line, insert the "by \$60,000," after the word "project"

Chairman Nichols MOTIONED to approve the January 13, 2014 minutes as amended
SECONDED by Selectman Pierce.

VOTE: 5-0-0

3. January 14, 2014

Selectman Pierce MOTIONED to approve the January 14, 2014 minutes SECONDED by
Selectman Plouffe.

VOTE: 5-0-0

VIII. Town Manager's Report (1:28:14)

1. The Warrant for the Annual Town Meeting and Deliberative Sessions were posted in accordance with law on Friday, January 24, 2014. The Warrant is also available on the Town Website.
2. Senate Bill 219 relative to the ability of Towns to deposit with the Town Trustees sums paid for cemetery lots that can then be placed in the Cemetery Fund for future maintenance was heard by the Senate Committee on Public and Municipal Affairs on January 15th, and was recommended for passage by the Senate with amendments.
3. Work continues on the interior of the Church Street Pumping Station for the completion of electrical systems, HVAC equipment, and preparing for the setting of equipment for pumping operations.
4. Deliberative Session of the Annual Town Meeting will take place on Saturday at 8:30 AM at the Winnacunnet High School. This session will set the final wording of articles and the level of appropriations for the vote by ballot on March 11, 2014.
5. Individuals who need to file for Veterans, Elderly, Blind, and other exemptions from the property tax as well as a reduction in the Beach Precinct tax are reminded that the deadlines for filing are approaching. You should consult with the Assessing Office if you need to file for 2014.

Mr. Welch added: received email from Dick Desrosiers about December electric bill and how the rate was considerably lower than what others are being charged; discussion with Seabrook Town Manager in regards to cleaning of Sun Valley Beach and they are going to say no.

Chairman Nichols brought up: inaccuracies that have come up with the Town Report in the past; he understands that they are minor; questioned if the report is reviewed by anyone. Mr. Welch stated that 3 different people do go through the report.

IX. Old Business (1:32:50)

1. Selectmen's Assignment of Motions Related to Moving Articles - Deliberative Session

Chairman Nichols mentioned that with the exception of the Budget and Petitioned Warrant Articles the Board would be moving all other articles. There was a discussion on how the Planning Board will usually move the Zoning Articles.

Chairman Nichols volunteered to move the 6 union contract articles 9-14 and Selectman Pierce will second them all.

Selectman Woolsey will move the dam and the culvert and seconded by Selectman Plouffe.

Selectman Plouffe will move DPW replacement equipment and seconded by Selectman Woolsey.

Selectman Woolsey will move Road Improvement Capital Reserve Fund and seconded by Selectman Plouffe.

Selectman Bean will move rescission of Tax Relief Act and seconded by Selectman Woolsey.

Selectman Pierce will move Health and Human Services and seconded by Selectman Plouffe.

Selectman Pierce will move Police Forfeiture Fund and seconded by Selectman Plouffe.

Selectman Woolsey will move Recreation Infrastructure Fund and seconded by Selectman Plouffe.

Selectman Bean will move Grist Mill Restoration Fund and seconded by Selectman Woolsey.

Selectman Woolsey will move the Cemetery Burial Fund and seconded by Selectman Plouffe.

Selectman Woolsey will move the Conservation Commission Land Acquisition Fund and seconded by Selectman Pierce.

Selectman Woolsey will move adoption of RSA 149-I and seconded by Selectman Plouffe.

Selectman Pierce will move Sewer Connection fee and seconded by Selectman Bean.

Selectman Pierce will move Solid Waste and seconded by Selectman Woolsey.

Selectman Pierce will move the Road acceptance articles and seconded by Selectman Woolsey.

Selectman Bean will move Martial Arts ordinance amendment and seconded by Chairman Nichols.

Chairman Nichols will move the Entertainment Ordinance article and seconded by Selectman Pierce.

Chairman Nichols will move Appointment of Tree Warden and seconded by Selectman Bean.

Selectman Woolsey will move repeal of Fire Capital Reserve Fund and seconded by Selectman Pierce.

Mr. Welch will get a formal list out to the Board by tomorrow.

Chairman Nichols asked if all the Selectmen completed the auditor's questionnaire and Mr. Welch will provide copies to those who have not completed it yet.

X. New Business (1:41:39)

1. Parking West Side of Ocean Blvd. – High Street to Church Street

Mr. Welch commented: 10 minute parking on most of westside of Ocean Blvd; as far as DOT is concerned there is no parking in this area; don't know who put the signs up; sent this information to both Fire and Police Chief; Police Chief has sent back a revised list for safety

reasons. There was a discussion on whether it could just be posted as no parking and it can be done. If they wish to go with Chief Sullivan's proposal Mr. Welch went through the approval process the Town would need to go through at the State level.

Chairman Nichols expressed concern with not allowing people to pull up in front of property to unload. It was expressed that they can do this but it will not allow any cars to be parked in this area at all.

Chairman Nichols does not see a rush on this and would suggest that the Board hold this over for a few weeks prior to making any decisions. Selectman Bean agrees with Chairman Nichols on postponing this for now. There was an agreement on having a public hearing in the future.

2. Request from North Hampton to join "Action against HealthTrust and PLT" (1:48:31)

Chairman Nichols commented on a meeting that was held tonight and the Board has decided to defer this discussion for now.

XI. Consent Agenda (1:48:58)

1. Limousine License – Robert Grande "Seacoast Executive Transportation"
2. Veteran' Credits: Atwood Family Realty Trust Map/Lot 172/101; Birk, Brenda L. Map/Lot 201/27; Haynes, Family Revocable Trust Map/Lot 160/303; Nassoura, Thomas & Lorraine Map/Lot 223/11; Parzick, Chester Jr., & Jo-Anne Map/Lot 267/22; Rogers, Brian Map/Lot 90/166; Roy, Raymond A. & Sandra G. Map/Lot 296/001; Wilson, Maryann Map/Lot 274/66

Selectman Woolsey MOTIONED to approve the Consent Agenda SECONDED by Selectman Pierce.

VOTE: 5-0-0

XII. Closing Comments

XIII. Adjournment of Public Meeting (1:49:30)

Selectman Pierce MOTIONED to adjourn at 8:45 PM SECONDED by Chairman Nichols.

VOTE: 5-0-0

Chairman